

DECLARATION

I, Kuniaki SHIMIZU, a national of Japan, c/o Asamura Patent Office of 331-340, New Ohtemachi Building, 2-1, Ohtemachi-2-chome, Chiyoda-ku, Tokyo, Japan do hereby solemnly and sincerely declare:-

- 1) THAT I am well acquainted with the Japanese language and English language, and
- 2) THAT the attached is a full, true, accurate and faithful translation into the English language made by me of Japanese Text of the U.S. Serial No. 08/539,871 filed on October 6, 1995.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001, of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 30th day of November, 1995.



Kuniaki SHIMIZU
Patent Attorney

COMBINED DECLARATION AND POWER OF ATTORNEY
(宣誓書及び委任状)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name. I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below), of the subject matter claimed and for which a patent is sought on the invention entitled:

"OPTICAL SYSTEM FOR MEASURING METABOLISM IN A BODY AND IMAGING METHOD"

the specification of which: (check one) is attached hereto.

was filed on _____

as Application Serial No. _____

and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information material to examination of this application according to Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application (s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date earlier than that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>06-242592</u> (Number)	<u>Japan</u> (Country)	<u>6 October, 1994</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>07-030972</u> (Number)	<u>Japan</u> (Country)	<u>20 February, 1995</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>07-169820</u> (Number)	<u>Japan</u> (Country)	<u>5 July, 1995</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior applications in manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby appoint principal attorneys; Donald R. Antonelli, Reg. No. 20,296; David T. Terry, Reg. No. 20,178; Melvin Kraus, Reg. No. 22,466; Stanley A. Wal, Reg. No. 26,422; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973 and Carl I. Brundidge, Reg. No. 29,621 to prosecute and transact all business connected with this application and any related United States application and international applications. Please direct all communications to the following address:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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